

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
July 14, 2022

Name of Offender: **Johnny Tovar**

Case Number: **2:16CR00291**

Name of Sentencing Judicial Officer: **Honorable Gloria M. Navarro**

Date of Original Sentence: **October 18, 2019**

Original Offense: **Conspiracy to Distribute Heroin**

Original Sentence: **30 Months prison, followed by 24 Months TSR.**

Date Supervision Commenced: **January 12, 2022**

Name of Assigned Judicial Officer: **Honorable Gloria M. Navarro**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

Employment Travel- You may travel to surrounding states (Utah, Arizona, New Mexico, and California) with permission of the U.S Probation Office for employment purposes with prior written documentation from your employer entailing where, when, why, and how you will be traveling for work. Documentation must be submitted in a timely manner for the approval from a United States Probation Officer. Failure to provide documentation and maintain communication with the U.S Probation office may be grounds for revocation.

CAUSE

As your Honor may recall, on October 18, 2019, Johnny Tovar was sentenced to thirty (30) months of imprisonment followed by two (2) years of supervised release for the offense of Conspiracy to Distribute Heroin. Tovar commenced supervision in the District of Nevada on January 12, 2022.

RE: Johnny Tovar

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On April 12, 2022, your Honor was notified via 12B by United States Probation Officer Amanda Stevens that Tovar had traveled outside of the federal judicial district to Arizona to transport a RV for work without prior approval. Tovar was sanctioned with sixteen (16) hours of community service to which he completed at in its entirety on June 15, 2022. Documentation was provided to the undersigned to collaborate these hours were completed.

Tovar is employed at Road Bear RV Rentals and Sales to which Tovar explained due to short staffing his employer will ask him to transport RV's outside of the District of Nevada to customers experiencing breakdowns of their motorhomes. Typically, one to two times per month, Tovar is asked to assist with these types of transports with little notice as breakdowns are unexpected. On July 5, 2022, Tovar provided a letter from his employer detailing his job duties which included delivering motorhomes on occasion. On July 6, 2022, the undersigned called Tovar's supervisor, Florian Henig, to inquire where Tovar would frequent travel to if short staffed to which he confirmed neighboring states such as Utah, Arizona, California, and New Mexico depending on the breakdown location. Our office respectfully requests the employment travel condition above be added to hold Tovar accountable with ensuring prior notification to our office of his travel intentions and whereabouts for his employment endeavors.

Tovar is in agreement with the modification evident by his signature on the attached Waiver of Hearing to Modify Conditions of Supervised Release (Prob 49). Should the Court have any questions or need further information, the Probation Office will be available at the Court's discretion.

Respectfully submitted,

Digitally signed
by Briana Casey
Date: 2022.07.14
16:08:30 -0700'

Briana Casey
United States Probation Officer Assistant

Approved:



Digitally signed by Shawn
Mummey
Date: 2022.07.14 16:04:41
-0700'

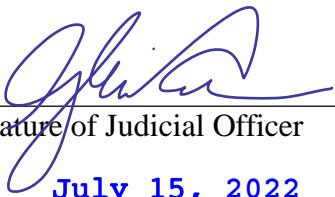
Joy Gabonia
Supervisory United States Probation Officer

RE: Johnny Tovar

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THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

July 15, 2022

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

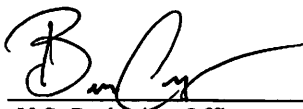
District of Nevada

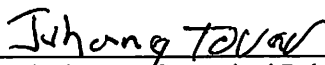
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Employment Travel- You may travel to surrounding states (Utah, Arizona, New Mexico, and California) with permission of the U.S Probation Office for employment purposes with prior written documentation from your employer entailing where, when, why, and how you will be traveling for work. Documentation must be submitted in a timely manner for the approval from a United States Probation Officer. Failure to provide documentation and maintain communication with the U.S Probation office may be grounds for revocation.

Witness 
U.S. Probation Officer

Signed 
Probationer or Supervised Releasee

07/14/2022
Date